

GARY S. FERGUS (Cal. Bar No. 095318)  
FERGUS, a law office  
595 Market Street, Suite 2430  
San Francisco, California 94115  
Telephone: (415) 537-9032  
Facsimile: (415) 537-9038  
gfergus@ferguslegal.com

Counsel to the Futures Representative

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

In re	)	Case No. 02-46284 RLE
	)	
WESTERN ASBESTOS COMPANY,	)	CHAPTER 11
	)	
Debtor.	)	
	)	
WESTERN ASBESTOS SETTLEMENT	)	Adversary Case No. 12-04190 RLE
TRUST,	)	
	)	<b>THE FUTURES REPRESENTATIVE'S</b>
Plaintiff,	)	<b>JOINDER IN WESTERN ASBESTOS</b>
	)	<b>SETTLEMENT TRUST'S OPPOSITION</b>
v.	)	<b>TO MOTION TO COMPEL</b>
	)	
MICHAEL J. MANDELBROT and	)	
MANDELBROT LAW FIRM,	)	
	)	
Defendants.	)	
	)	
THE HONORABLE CHARLES B. RENFREW	)	
(RET.), in his capacity as the Court Appointed	)	
Futures Representative in connection with the	)	
Western Asbestos Settlement Trust,	)	
	)	
Plaintiff Intervenor,	)	
	)	
v.	)	<u>Hearing</u>
	)	Date: July 11, 2013
MICHAEL J. MANDELBROT and THE	)	Time: 11:00 a.m.
MANDELBROT LAW FIRM,	)	Place: 1300 Clay Street, Courtroom 201
	)	Oakland, CA 94604
Defendants.	)	Judge: Honorable Roger L. Efremsky
	)	

In Re Western Asbestos Company, Case No. 02-46284 RLE, Adv. Proc. No. 12-04190  
The Futures Representative's Joinder in Western Asbestos Settlement Trust's Opposition to Motion to Compel

The Honorable Charles B. Renfrew (Ret.), the legal representative appointed by the bankruptcy court to represent the interests of future asbestos claimants in connection with the Western Asbestos Settlement Trust (the “Trust”) (“the Futures Representative”), hereby joins the Trust in the above captioned Opposition to Motion to Compel.

Dated: June 28, 2013

Respectfully Submitted

By /s/ Gary S. Fergus

Gary S. Fergus, Cal. Bar No. 095318

Fergus, A Law Office

595 Market Street, Suite 2430

San Francisco, CA 94115

Telephone: (415) 537-9032

Facsimile: (415) 537-9038

Email: [gfergus@ferguslegal.com](mailto:gfergus@ferguslegal.com)

## Counsel for the Futures Representative

1 PROOF OF SERVICE

2 I, Gary S. Fergus, declare:

3 I am and was at the time of the service mentioned in this declaration, employed in the  
4 County of San Francisco, California. I am over the age of 18 years and not a party to this cause.  
5 My business address is Fergus, a law office, 595 Market Street, Suite 2430, San Francisco,  
6 California 94105.

7 On June 28, 2013, I caused service of a copy of The Futures Representative's Joinder In  
8 Western Asbestos Settlement Trust's Opposition To Motion To Compel on the parties to this action  
9 as follows:

10 ☒ (BY THE COURT VIA NOTICE OF ELECTRONIC FILING ("NEF")) – Pursuant to  
11 controlling General Order(s) and Local Bankruptcy Rule(s), the foregoing document will  
12 be served by the court via NEF and hyperlink to the document. On June 28, 2013, I  
13 checked the CM/ECF docket for this bankruptcy case or adversary proceeding and  
14 determined that the following persons are on the Electronic Mail Notice List to receive  
15 NEF transmission at the email addresses stated below:

- 14 • Dennis D. Davis ddavis@gsdllaw.com, jrose@gsdllaw.com
- 15 • Gabriel I. Glazer gglazer@stutman.com
- 16 • Marcy Railsback Marcy@BovinoRailsback.com,  
17 marcyrailsback@hotmail.com

16 ☒ (BY ELECTRONIC MAIL) I caused the above-mentioned documents to be served by  
17 email to the parties listed below on the date specified above:

17 Benjamin P. Smith  
18 Aaron S. Dutra  
19 bpsmith@morganlewis.com  
20 asdutra@morganlewis.com

Eve Karasik  
ekarasik@stutman.com

Michael Ahrens  
mahrens@sheppardmullin.com

20 Michael E. Molland  
21 mmolland@mollandlaw.com

21 ☒ (BY MAIL) I placed the sealed envelope(s) for collection and mailing by following the  
22 ordinary business practices of Fergus, A Law Office, San Francisco, California. I am  
23 readily familiar with Fergus, A Law Office's practice for collecting and processing of  
24 correspondence for mailing with the United States Postal Service, said practice being  
25 that, in the ordinary course of business, correspondence with postage fully prepaid is  
26 deposited with the United States Postal Service the same day as it is placed for  
27 collection.

25 Dennis D. Davis  
26 Goldberg, Stinnett, Davis & Linchey  
27 44 Montgomery St., Ste. 850  
28 San Francisco, CA 94104

1 I declare under penalty of perjury under the laws of the United States of America that the  
2 foregoing is true and correct, and that this declaration was executed on the 28th of June 2013 at  
3 San Francisco, California.

4 /s/ Gary S. Fergus  
Gary S. Fergus